IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15036 of 2004

Between:

1 Smt P.Sunanda, D/o Ranga Rao,
R/o H.No.16-2-836/2/4, Madhavanagar, Saidabad, Hyderabad
2 Smt P.Sunitha, D/o P.Ranga Rao,
R/o H.No.16-2-836/2/4, Madhavanagar, Saidabad, Hyderabad
3 K.Narsimlu, S/o Sitaramaiah,
R/o Plot No.36, Andhra Bank Colony, Malakpet, Hyderabad
4 K.Prameela Devi, D/o K.S.Chetty,
R/o 12-1-33, Peddakapur Street, Tirupathi
5 S.Suresh Kumar, S/o Subba Raju,
R/o Kiran Food Products, School Lane, Tirupathi
6 K.Venkateswarlu, S/o krishnaiah,
R/o Plot No.52, A.B.Colony, Malakpet, Hyderabad
7 Smt N.Satyavathi, W/o N.Narayana Chetty,
R/o 16-2-749/4, Revenue Board Colony, Hyderabad
8 Sikaram Seshaiah, S/o Subbaiah,
R/o 16-20, Sikaram Street, Nellore
9 M.Ch.Ramana, W/o M.Venkaiah,
R/o H.No.16-2-836/3/1, Madhavanagar, Saidabad, Hyderabad
10 P.Narasimha Rao, S/o P.Subbaiah,
R/o H.No.16-2-836/3, Madhava Nagar, Saidabad, Hyderabad
11 Venu Krishnamurthy, S/o Chenna Subbaraidu,
R/o Narsimhapuram Village, Venikuntapadu Mandal,
Nellore District
12 Smt.Danala Nagaratnam, W/o Venkataratnam,
R/o Huzurabad, Karimnagar District
13 Smt.Pachava Subbaratnam, W/o P.Chinna Rao,
R/o Near Panduranga Temple, Samalkot, East Godavari District
14 P.Venkateswarlu, S/o Late P.Venktramaiah,
R/o Chintaladevi Village, Nellore District

All are represented by their GPA M.Kondaiah Chowdary,
S/o. Vengaigh, R/o. H.No.16-2-836/3, Madhava Nagar,
Saidabad, Hyderabad

..... PETITIONERS

AND

1 The Revenue Divisional Officer, Chevella Division, Attapur Village, Ranga reddy District
2 The Mandal Revenue Officer, Malkajgiri Mandal, Ranga Reddy District
3 The Station House Officer, P.S.Bowenpalli, Secunderabad
4 Khaja Ahmeduddin, S/o Late Khaja Abdullah R/o 3-6-403, Himayat Nagar, Hyderabad
5 Khaja Abdul Rahman, S/o Late Khaja Abdullah, R/o 4-1-171, V.S.T.Colony, Secunderabad
6 Khaja Naseeruddin, S/o Khaja Ahmeduddin, R/o 3-6-403, Himayat Nagar, Hyderabad
7 Khaja Muneeruddin, S/o Khaja Ahmeduddin, R/o 3-6-403, Himayat Nagar, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Order or Direction more particularly in the nature of Writ of Mandamus by declaring the action of the respondents No.1 and 2 in instructing the Deputy Mandal Revenue Officer to incorporate the names of respondents No.4 to 7 in possessors column in the land in Sy.Nos.367 & 368 in an extent of Ac.16.12 guntas & Ac.11.29 guntas respectively in pursuance of the occupancy Rights Certificate and the copy of pahani that was issued on 7-2-2004 by the Deputy Mandal Revenue Officer, Malkajgiri in pursuance of the above instructions of respondents No.2 are bad, contrary to the principles of natural justice, violative of procedure prescribed under Sec.5 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 and direct the respondents 1 and 2 to delete the illegal entries made in the revenue record and in pahani for the year 2003-04

Counsel for the Petitioners: SMT.A.ANASUYA

Counsel for the Respondent Nos. 1&2: THE GP FOR REVENUE

Counsel for the Respondent No.3: THE G.P. FOR HOME

The Court made the following ORDER:

Against the order passed by the Mandal Revenue Officer under Sub-Section(5) of Section 5 of the A.P. Right in Land and Pattedar Pass Books Act 1971, implementing the orders in the revenue record, an appeal lies to the Revenue Divisional Officer.

In view of the same, the petitioners are at liberty to file an appeal. Without exhausting the statutory right of appeal, this Court is not inclined to entertain the writ petition.

The writ petition is accordingly dismissed with a liberty to the petitioners to file an appeal, if they are so advised. No costs.

_____

A.Gopal Reddy, J

Date: 24.08.2004

va

To

1 The Revenue Divisional Officer, Chevella Division, Attapur Village,
Ranga reddy District

2 The Mandal Revenue Officer, Malkajgiri Mandal, Ranga Reddy District
3 The Station House Officer, P.S.Bowenpalli, Secunderabad
4 Two CCs to G.P. for Revenue, High Court of A.P. Buildings, Hyderabad (OUT)

5 Two CCs to G.P. for Home, High Court of A.P. Buildings, Hyderabad (OUT)

6 Two CD Copies